

United States District Court

SOUTHERN

DISTRICT OF
MCALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Oscar Reyes-Haro

United States

peo
Oscar Reyes III peoPRINCIPAL
YOB: 2000

CRIMINAL COMPLAINT

Case Number:

M-18-1970 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 19, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Milton Alexander Orellana-Cruz and Julio Cesar Portillo-Portillo, citizens of El Salvador, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to the point of arrest near Sullivan City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 19, 2018, Border Patrol Agents received a call from a concerned citizen regarding a brown in color sports utility vehicle (SUV) loading up with suspected illegal aliens near Los Ebanos Port of Entry in Los Ebanos, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes No

Signature of Complainant

Julio C. Peña Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

September 20, 2018

Date

3:20 pm

Peter E. Ormsby, U. S. Magistrate Judge
 Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-1970 -M

RE: Oscar Reyes-Haro

CONTINUATION:

A Border Patrol Agent near the area immediately observed an SUV matching the description accelerating towards Expressway 83. The agent proceeded to follow the SUV northbound on El Faro Road and activated his emergency lights after requesting the vehicles registration check. The SUV failed to stop and continued accelerating north past the Expressway 83. According to the agent, the SUV reached speeds of approximately 80 miles per hour when a Department of Public Safety Trooper (DPS) took over the pursuit. A short time later, the SUV came to a stop and several subjects exited the SUV in an attempt to abscond.

The agent managed to observe the driver as he exited the SUV. After a short foot chase, the DPS Trooper apprehended the driver, later identified as Oscar Reyes-Haro, a United States Citizen. Additional agents arrived and after a brief search of the area, five subjects were apprehended. All five subjects were determined to be illegally present in the United States.

All subjects were transported to the McAllen Border Patrol Station to be processed accordingly.

PRINCIPAL STATEMENT:

Oscar Reyes-Haro was read his Miranda rights. He understood and agreed to provide a sworn statement.

Reyes stated he was hired by a smuggler and was to be paid \$1,000 (USD) to pick up five illegal aliens in Los Ebanos, Texas. Once at the pickup location, Reyes stated he observed several subjects walking away from a white house and boarded into his vehicle. Shortly thereafter, Reyes stated he departed the area and a smuggler was instructing him over the phone to continue driving north. Reyes stated he saw Border Patrol behind him, panicked and attempted to flee at speeds of approximately 90 miles per hour (MPH) in a 30 MPH residential speed limit zone. Reyes claimed he has picked up two illegal aliens in the past and was paid \$200 USD.

**UNITED STATES DISTRICT COURT
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RE: Oscar Reyes-Haro

CONTINUATION:

MATERIAL WITNESSES STATEMENTS:

Milton Alexander Orellana-Cruz and Julio Cesar Portillo-Portillo were read their Miranda Rights. Both understood and agreed to provide a sworn statement.

Orellana, a citizen of El Salvador, stated he made his smuggling arrangements with an unknown smuggler and was to pay \$9,000 (USD). Orellana claimed he crossed the river by raft with several other individuals. Once in the United States, Orellana stated the rafter instructed them to hide in the brush and informed them that someone would arrive to pick them up. Orellana stated he boarded into a four door vehicle and sat behind the front passenger. Orellana stated they departed the area and shortly thereafter, the police stopped them and he ran.

Portillo, a citizen of El Salvador, stated he didn't make smuggling arrangements. Portillo traveled to the United States for necessity because he needed to help his son. He left the country because of an emergency and lost his passport. He crossed on a raft, with other illegal aliens. Portillo and the others were taken to a house. Portillo then boarded a new brown truck and claims he offered the driver money to take him to the airport. The driver was young and after he and the others were picked up, the vehicle stopped and he was apprehended.